

Issuance Transmittal Sheet

NASA

National Aeronautics and
Space Administration

George C. Marshall Space Flight Center
Marshall Space Flight Center, Alabama 35812

Issuance Number: MMI 9050.2C, Change 1	Date: March 18, 1997
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Material Transmitted:

1. Management Instruction, MMI 9050.2C, Change 1, subject, "NASA Exchange - MSFC."
2. Pending revision to MMI 9050.2C, please make the following pen and ink changes to the subject procedure:

Change "Director, Executive Staff" to "Associate Director, MSFC" in paragraph 6. Delegation of Authority; paragraph 8.b. Authorized Activities; paragraph 10, Contracts; and Attachment A, Responsibilities, paragraph 1.

(original signed by)
Susan McGuire Smith (for)

J. Wayne Littles
Director

Distribution:
SDL 1

Filing Instructions:

Make pen and ink changes as indicated above and file this Transmittal Sheet in front of MMI 9050.2C.

I S S U A N C E T R A N S M I T T A L
S H E E T

N A S A
National Aeronautics and
Space Administration

George C. Marshall Space Flight Center
Marshall Space Flight Center, Alabama 35812

Issuance Number: MMI 9050.2C	Date: May 5, 1989
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Material Transmitted:

1. Management Instruction, MMI 9050.2C, subject: "NASA Exchange - MSFC"
2. This instruction has been revised to:
 - a. Change oversight responsibility from Director, Institutional and Program Support to Director, Executive Staff;
 - b. Add policy statement clarifying instrumentality status of NASA Exchanges and related clubs;
 - c. Add requirement for establishing constitution, by-laws and regulations as appropriate to the management of the Exchange and for forwarding copies of significant actions, reports, etc., to the NASA Comptroller;
 - d. Change the dollar limitation on facility projects that must be approved by NASA Headquarters;
 - e. Delete Property Manager responsibility;
 - f. Update organizationally; and
 - g. Make necessary editorial changes.

Filing Instructions:

Remove MMI 9050.2B and insert the attached MMI 9050.2C.

M A N A G E M E N T
I N S T R U C T I O N

N A S A
National Aeronautics and
Space Administration

George C. Marshall Space Flight Center
Marshall Space Flight Center, Alabama 35812

Originating Organization: CM01	Effective Date: May 5, 1989	MMI: 9050.2C
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Subject: NASA EXCHANGE - MSFC

1. PURPOSE

This instruction establishes the NASA Exchange - MSFC (hereinafter referred to as the "Exchange"), and prescribes guidelines for management of the Exchange and funding of Exchange activities which contribute to the efficiency, welfare, and morale of NASA personnel in accordance with NMI 9050.6, "NASA Exchange Activities."

2. APPLICABILITY

This instruction applies to all MSFC Exchange activities and participants.

3. AUTHORIZED PARTICIPANTS

Participation in Exchange activities is limited to MSFC employees and, except for voting for or holding an elective or appointed office on the Exchange Council, to other Government personnel stationed at MSFC, retired NASA employees, the families and guests of the preceding, and MSFC on-site contractor personnel. Note: In instances where facility capacity or other resource limitations exist, the Exchange Council has discretion to restrict participation.

4. AUTHORITIES (Only applicable parts of most recent edition apply.)

- a. The National Aeronautics and Space Act of 1958, as amended (42 United States Code 2451 et seq)
- b. NMI 9050.6, "NASA Exchange Activities"
- c. 28 United States Code 1346

- d. 28 United States Code 1491
- e. 31 United States Code 1304

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5. POLICY

The Exchange is an instrumentality of the United States and is entitled to all privileges, rights, and immunities of a Government instrumentality. It is MSFC policy that all clubs/activities that regularly or routinely use NASA or NASA Exchange facilities and/or equipment and that are sponsored by the Exchange shall be under the control of and be an element of the MSFC Exchange. The Exchange may, in its discretion, allow independent organizations to use Exchange facilities or equipment when such use is clearly in the best interest of the Government and advance written approval is obtained.

6. DELEGATION OF AUTHORITY

The Associate Director, MSFC, is delegated full authority to make any decision and take any action that the Director of MSFC could make or take in the implementation of NMI 9050.6, "NASA Exchange Activities," or this instruction.

7. RESPONSIBILITIES

Responsibilities for management of the Exchange and funding of Exchange activities are contained in Attachment A of this instruction.

8. AUTHORIZED ACTIVITIES

- a. The Exchange is authorized to engage, by contract or otherwise, in those activities enumerated in paragraph 7 of NMI 9050.6, "NASA Exchange Activities." In addition, the Exchange may engage in the operation of an on-site barber shop, automobile repair shop, souvenir shop, credit union, banking facility, and child development center.
- b. Activities not herein provided for may be authorized by the Associate Director, MSFC, in writing, upon prior concurrence of the Office of the NASA Comptroller, when such activities are clearly in the interest of NASA and NASA employees.

9. EXCHANGE EMPLOYEES

- a. Sick and annual leave will be administered in accordance with the Federal Personnel Manual. The Operations Manager may waive or deviate from the Federal Personnel Manual at his/her discretion but must document the cause for such waiver or deviation.
- b. Substitutes who are employed during the absence of regular employees will be paid by the Exchange.

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- c. Exchange employees will meet the established security standards for MSFC employees.
- d. MSFC personnel, other than members of the Exchange Council, may be employed for part-time duties, provided such employment will not interfere with their official MSFC duties, and provided further that they have obtained administrative approval in advance for outside employment.

10. CONTRACTS

- a. All contracts, including concession agreements and leases, will be negotiated and executed by the Operations Manager, or, in his absence, the Exchange Chairman, generally in accordance with Federal Acquisition Regulations (FAR) and the NASA FAR Supplement. The installation procurement staff shall assist the Exchange Council in effecting such procurements. Subject to the approval of the Exchange Council and the concurrence of the Chief Counsel and the Associate Director, MSFC, and upon MSFC approval, all concession contracts will be submitted to NASA Headquarters (Attention: Office of the NASA Comptroller) for review and approval by the NASA Comptroller before being awarded. Information copies of amendments to existing contracts and exercise of options to renew existing contracts shall also be forwarded promptly to the NASA Comptroller.
- b. Each Council member will be furnished a copy of all contracts after award.

11. FACILITIES AND EQUIPMENT

For detailed information on NASA Exchange facilities and equipment, see Attachment C of this instruction.

12. ATHLETIC, RECREATION, AND SOCIAL ACTIVITIES

- a. The organized athletic, recreation, and social activities of MSFC employees will operate under the name MARS (Marshall Athletic, Recreation, and Social Exchange). All such activities will be conducted under the direct authority and control of the Exchange.
- b. For budgeting and management control purposes, these activities are divided into the following three groups:
 - (1) Center-wide Social Activities
 - (2) Competitive Sports
 - (3) Special Clubs.

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13. CANCELLATION

MMI 9050.2B, dated June 13, 1985

(orig s/by)
James R. Thompson, Jr.
Director

Attachments:

- A - Responsibilities
- B - Organization and Authorities of Exchange Council
- C - Facilities and Equipment

Distribution:

SDL 2 and 7

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Attachment A

RESPONSIBILITIES

1. Associate Director, MSFC, is responsible to the Director of MSFC for:
 - a. Establishing the constitution, by-laws, and regulations as appropriate to the management of the Exchange;
 - b. Operating the Exchange in an efficient and businesslike manner;
 - c. Forwarding appropriately documented requests to the Office of the NASA Comptroller for any necessary exception to NMI 9050.6, "NASA Exchange Activities;"
 - d. Authorizing the use of MSFC controlled real property and existing facilities by the Exchange, and approving work on Government-provided facilities and equipment estimated to cost in excess of \$2,000 but less than \$50,000; approving requests, regardless of dollar amount, for work on Exchange-acquired facilities and equipment;
 - e. Submitting proposed real property acquisitions, regardless of cost or fund source, and facility projects, regardless of fund source, for modification of existing facilities to Headquarters for approval pursuant to NMI 9050.6, "NASA Exchange Activities;"
 - f. Ensuring that the Exchange Council observes the Department of Health and Human Services regulations implementing the Randolph-

Sheppard Act Amendments of 1974 (Vending Facility Program for the Blind);

- g. Keeping the Director of MSFC and the NASA Comptroller fully and currently informed of significant actions, problems, and other matters related to the Exchange; forwarding to the NASA Comptroller the reports required under NMI 9050.6;
 - h. Issuing such supplemental guidelines and procedures as may be necessary to implement this instruction; and
 - i. Recommending members for appointment to the Exchange Council pursuant to paragraph 1 of Attachment B.
2. Exchange Council (see Attachment B) is responsible for the proper and efficient management and operation of all activities of the Exchange, including clubs and similar organizations, and is responsible to the Director, Executive Staff, for:
- a. Promoting the objectives of the NASA Exchange;

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Attachment A

- b. Recommending changes in Exchange policies, organization, scope of activities, rules, or business practices;
- c. Recommending the extent of Exchange support of welfare and morale activities;
- d. Periodically examining and considering Exchange financial and operating statements, activity budgets, and reports and recommending necessary actions to ensure compliance with pertinent regulations and instructions to promote Exchange objectives;
- e. Periodically inspecting the books and other records of the Exchange and its clubs and organizations and recommending names of MSFC employees to be appointed as an audit committee which will audit the accounts of the Exchange at least annually;
- f. Conducting elections of members to the Exchange Council as required (see Attachment B), and submitting to the NASA Comptroller a listing of the appointed members;
- g. Establishing operating procedures in the form of by-laws which will comply with NASA Exchange regulations and this instruction and be subject to the approval of the Director, Executive Staff;

- h. Establishing accounting and internal control procedures to be approved by the Director, Executive Staff; and
- i. Submitting an annual report to the Office of the NASA Comptroller briefly outlining the Exchange Council's activities for the preceding fiscal year and plans for the succeeding fiscal year. A copy of the annual audit report should also be provided to the NASA Comptroller and to the Director, NASA Headquarters Financial Management Division.

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Attachment B

ORGANIZATION AND AUTHORITIES OF EXCHANGE COUNCIL

- 1. The Exchange will be governed by an Exchange Council composed of seven MSFC employees. Four of these -- the Chairman, Operations Manager, Treasurer, and one member -- will be recommended by the Director, Executive Staff, and appointed by the Center Director. The remaining three members will be elected in a general election in which all MSFC employees are eligible to vote. The Council may select a secretary from among its members.
 - a. Qualification and Terms of Office
 - (1) At the time of appointment or by an employee election, a member of the Exchange Council will be an MSFC employee with at least one year's service at MSFC. No member of the Council will receive compensation for performance of duties.
 - (2) The term of office for each member is two years, commencing on January 1, continuing, however, until a successor has been duly selected.

(3) The term of office for the Chairman, Treasurer, and two of the elected members will run concurrently, commencing on January 1 of every odd-numbered year.

(4) The term of office for the Operations Manager, the other appointed member, and the third elected member will run concurrently, commencing on January 1 of every even-numbered year.

b. Elections

Elections of members will be held at least 20 working days prior to the beginning date of a new term for that office. Requests for nominations will be placed in a minimum of two issues of the "Marshall Star." Each nomination will be made in the form of a petition signed by at least 20 MSFC employees, showing the payroll number of each petitioner, and addressed to the Exchange Council, Attention: Election Committee. Every employee will be sent a ballot listing the names of all properly qualified nominees. All aspects of the election will be handled by a three-person committee appointed by the Exchange Council. Only a tie vote will be cause for a run-off election in which case the run-off election will be held at least five working days prior to the beginning of a new term for that office.

c. Vacancies

Should a vacancy occur in any position before a successor has been duly appointed, the Center Director may appoint an interim member to temporarily fill that position.

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Attachment B

2. DUTIES AND AUTHORITIES OF EXCHANGE OFFICERS

a. Chairman is responsible to the Director, Executive Staff, for:

- (1) The proper and efficient management and operation of all activities of the Exchange, and for keeping the Director, Executive Staff, fully and currently advised thereon;
- (2) Officially representing the Exchange Council in its dealings with MSFC management and with MSFC employees and employee groups;
- (3) Presiding at all Exchange Council meetings; and
- (4) Reviewing for approval or disapproval work orders for the maintenance and alteration of facilities and equipment, and

forwarding such approved work orders to the Facilities Office for disposition.

b. Operations Manager is responsible for:

- (1) Carrying out policies established by the Exchange Council;
- (2) Managing the day-to-day operations of the Exchange in accordance with recommendations of the Exchange Council as approved by the Director, Executive Staff;
- (3) Employing and supervising all necessary Exchange employees; however, any decision to hire or discharge any individual is subject to the prior approval of the Exchange Council;
- (4) As the contracting officer for the Exchange, performing said functions with all authority and responsibilities necessary or incidental thereto; and
- (5) Reviewing for approval or disapproval work orders for the maintenance and alteration of facilities and equipment and forwarding such approved work orders to the Facilities Office for disposition.

c. Treasurer will be appropriately bonded and is responsible for:

- (1) Supervising the handling of Exchange funds, bank accounts, and Government securities in accordance with approved budgets and procedures;

- (2) Assuring that Exchange officers/employees who handle Exchange funds are appropriately bonded; (Every check will be signed by the Treasurer and counter-signed by the Operations Manager or Chairman. Exceptions may be made for exigencies but must be documented by the Treasurer.)
- (3) Supervising the preparation of and submission to the Exchange Council of a monthly financial statement and such other related statements or reports as the Council may require, with a copy in each case sent to the Director, Executive Staff; and

- (4) Providing, at least quarterly, a copy of the Exchange financial and income statements to the NASA Comptroller and to the Director, Financial Management Division.

d. Secretary is responsible for:

- (1) Keeping minutes of all Council meetings and distributing copies of approved minutes to all Council members. A copy of minutes of each meeting shall be forwarded to the Office of the NASA Comptroller;
- (2) Preparing all official correspondence of the Council; and
- (3) Preparing and submitting to the Operations Manager or the Chairman of the MSFC Exchange Council, work orders for maintenance and alteration of facilities and equipment.

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Attachment C

FACILITIES AND EQUIPMENT

1. Government-owned facilities and equipment which are provided to the Exchange will be maintained in a safe and usable condition at Government expense consistent with their approved use by the Exchange.

2. Facilities and equipment acquired by the Exchange (title to all facilities or equipment acquired by the Marshall Athletic, Recreation, and Social (MARS) Exchange vests immediately in the Exchange) will generally be maintained by the Exchange with nonappropriated funds. However, the MSFC Director or his/her designee may authorize required maintenance with appropriated funds where deemed appropriate.
3. All facilities requirements will be submitted to the Facilities Office through the Operations Manager or the Chairman of the MSFC Exchange Council for review, justification, and approval/disapproval.
4. The Facilities Office will analyze Exchange facilities requirements and take appropriate action as follows:
 - a. Provide adequate space if available and adequately justified after obtaining approval in accordance with paragraph 1.d. of Attachment A;
 - b. Accomplish needed engineering, alterations, repairs and maintenance of Government-provided facilities and equipment assigned to the Exchange when work is estimated to cost less than \$2,000;
 - c. Forward requests for work on Government-provided facilities and equipment assigned to the Exchange and estimated to cost at least \$2,000 but less than \$50,000 to Director, Facilities Office, Institutional and Program Support, with concurrence of Director, Executive Staff, for approval of recommended action;
 - d. Forward requests for work on Exchange-acquired facilities and equipment, regardless of cost, to Director, Executive Staff, for approval of recommended action; and
 - e. Forward requests for work on NASA facilities and equipment (in use exclusively by the Exchange) estimated to cost \$50,000 or more through Chief Counsel to Director, Executive Staff, for Headquarters approval in accordance with paragraph 1.e. of Attachment A.